

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
FRONTIER AIRLINES,

Plaintiff,

20 Civ. 9713 (LLS)

- against -

MEMORANDUM
& ORDER

AMCK AVIATION, et al.,

Defendants.

- - - - -X

The Court ordered Exhibits 1, 2, 4, 5, 7, 9, 10, 11, 12, 53, 59, and 60 of the Hosenpud Declaration, Exhibit 1 of the Dempsey Declaration, and Exhibits 1-5 of the Bindu Declaration be unsealed by January 13, 2023, unless Frontier has submitted updated proposed redactions. Dkt. No. 118.

On January 6, 2023, Frontier sought leave to seal updated, redacted versions of all these exhibits. Dkt. No. 121.

Frontier's Motion is granted, in part. The redactions are limited to portions of the exhibits that reveal aircraft pricing, Frontier's long-term fleet plans, contract terms and negotiations that could place Frontier at a competitive disadvantage if competitor airlines or other aircraft lessors obtained the information, as well as confidential contact information. See Syntel Sterling Best Shores Mauritius Ltd. v. TriZetto Grp., 15 CIV. 211, 2021 WL 1541385, at *3 (S.D.N.Y. Apr. 20, 2021) (granting motion to seal documents that include confidential accounting information "to protect against

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 7/7/23

competitive harm"); Signify Holding B.V. v. TP-Link Rsch. Am. Corp., No. 21 CV 9472, 2022 WL 3704002, at *1 (S.D.N.Y. Aug. 26, 2022) (“‘Higher values’ the preservation of which might warrant sealing include the protection of sensitive business information the public disclosure of which ‘may provide valuable insights into a company’s current business practices that a competitor would seek to exploit.’”) (quoting Louis Vuitton Malletier S.A. v. Sunny Merch. Corp., 97 F. Supp. 3d 485, 511 (S.D.N.Y. 2015)).

The exception to that being Section 3.3.1 of Exhibit 7 to the Hosenpud declaration, which the Court relied upon and thus which no countervailing factors justify sealing. Frontier is directed to unseal Section 3.3.1 of Exhibit 7 to the Hosenpud declaration.

So Ordered.

Dated: New York, New York
July 7, 2023

Louis L. Stanton
LOUIS L. STANTON
U.S.D.J.